

AN ORDINANCE for the purpose of
vacating a dedicated utility easements.

WHEREAS, a petition to vacate dedicated utility easements within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-4-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate dedicated utility easements within the City of Fort Wayne, more specifically described as follows, to-wit:

The south 6.0 feet of Lot #42 and the South 6.0 feet of the west 40.0 feet of Lot #41 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana, together with:

The west 6.0 feet of the north 10.0 feet of Lot #38, the West 6.0 feet of Lot #39, the West 6.0 feet of Lot #40 and the West 6.0 feet of the south 123.3 feet of Lot #42 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana.

and which vacating allows the dedicated utility easements to revert to the ownership of the adjacent property owners.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

J. Timothy McCall
COUNCILMEMBER

Leben Cannie
COUNCILMEMBER

1 APPROVED AS TO FORM AND LEGALITY:

2 J. TIMOTHY MCCAULAY, CITY ATTORNEY

3 ** Public hearing to be held on _____,
4 the _____ day of _____, 1993,
5 in the Council Chambers.

6

7 Sandra E. Kennedy, City Clerk

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

FOUR STAR BOND
SOUTHWORTH CO. USA
25% COTTON FIBER

Read the first time in full and on motion by Opavie,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on 19, the day of
 , 19 , at o'clock

M., E.S.T.

DATED: 2-5-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

ANDRA E. KENNEDY, *ANDRA E. KENNEDY*

motion by

Read the third time in full and on motion by _____,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

AYES NAYS ABSTAINED ABSENT

<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>LUNSEY</u>	_____	_____	_____	_____
<u>RAVINE</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____ / SANDRA E. KENNEDY, CITY CLERK

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____
on the day of , 19 _____

SANDRA E. KENNEDY, CITY CLERK

~~PRESIDING OFFICER~~

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____, M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,

19 , at the hour of _____ o'clock ____ M., E.S.T.

PAUL HELMKE, MAYOR

RECEIPT

No 14851

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN.

1/21 1923

RECEIVED FROM Chester Bowman \$150.00
THE SUM OF One Hundred Fifty and 00/100 DOLLARS
ON ACCOUNT OF Utility easement vacatins

#8015

Tom Stridge
Katherine Evans

AUTHORIZED SIGNATURE

PAID BY: CASH CHECK M.O.

Date Filed: January , 1993

Vacation Petition

I/We CHESTER E. BOWMAN and BEVERLEY J. BOWMAN
(Applicant's Name or Names)

PETITION TO VACATE two (2) utility easements
(Street, Alley, Utility Easement, Plat,

Other)

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), do (does) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following utility easements with the City of Fort Wayne, Indiana, and hereby described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO.

(Legal Description of property being vacated) If additional space is needed use reverse side.)

In support thereof, your petitioner(s) would represent as follows:

(List reasons for requesting vacation.)

1. The Petitioners are the only owners of real estate bordering both sides of the two (2) easements.
2. That no person, firm, or corporation is interested in or affected by the requested vacation.

(If additional space is needed use reverse side.)

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner(s) pray that the above described two (2) easements be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS DAY OF January 19 93

Chester E. Bowman
Adjacent Property Owner
Typed Name

Address

Zip 02

Beverley J. Bowman
Adjacent Property Owner
Typed Name

Address

Zip

Chester E. Bowman
Signature

Beverley J. Bowman
Signature

Legal Description of Property:

Additional Reasons for Vacation Request:

3. That the two (2) easements are not necessary as ingress or egress to other properties and that said utility easements have never been used.

Owners of Adjacent Property:

Chester E. Bowman and Beverley J. Bowman

Adjacent Property Address/Zip
Owners TYPED Name

Signature

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

This form is to be filed in duplicate.

AGENT:

Name

Street Address

City/State/Zip

Phone

Request for
Vacation
Report
Name
Date

Request for
Vacation
Report
Name
Date

RECEIVED

QIS

RECEIVED

RECEIVED

RECEIVED

CERTIFICATE OF SURVEY

OFFICE OF:

DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA
GREGORY L. ROBERTS P.L.S. No. S0548 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

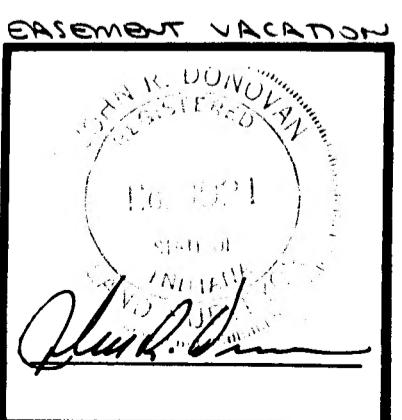
The description of the real estate is as follows, to wit:

The South 6.0 feet of Lot #42 and the South 6.0 feet of the West 40.0 feet of Lot #41 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana, together with:

The West 6.0 feet of the North 10.0 feet of Lot #38, the West 6.0 feet of Lot #39, the West 6.0 feet of Lot #40 and the West 6.0 feet of the South 123.3 feet of Lot #42 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana.

JOB FOR: **BOWMAN**

1-5-93



RESOLUTION 80-125-4

WHEREAS, CHESTER E. BOWMAN and BEVERLEY J. BOWMAN have
and requested the Fort Wayne City Plan Commission to
clic hearing upon the vacation of the following dedicated
asements in Fort Wayne, Allen County, to-wit:

The south 6.0 feet of Lot #42 and the South 6.0 feet of the west 40.0 feet of Lot #41 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana, together with:

The west 6.0 feet of the north 10.0 feet of Lot #38, the West 6.0 feet of Lot #39, the West 6.0 feet of Lot #40 and the West 6.0 feet of the south 123.3 feet of Lot #42 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-12.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easements hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easements hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated utility easements or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)) SS:
COUNTY OF ALLEN)

I, CHARLES E. LAYTON, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held _____ and as same appears of record in the official records of the Board of Public Works.

DATED THIS 3rd DAY OF March 1993

FORT WAYNE BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier
Katherine A. Carrier
Member, Board of Public Works

C. James Owen
C. James Owen
Member, Board of Public Works

RESOLUTION

WHEREAS, CHESTER E. BOWMAN and BEVERLEY J. BOWMAN have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easements in Fort Wayne, Allen County, to-wit:

The south 6.0 feet of Lot #42 and the South 6.0 feet of the west 40.0 feet of Lot #41 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana, together with:

The west 6.0 feet of the north 10.0 feet of Lot #38, the West 6.0 feet of Lot #39, the West 6.0 feet of Lot #40 and the West 6.0 feet of the south 123.3 feet of Lot #42 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-12.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on February 22, 1993 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easements.

WHEREAS, said vacation of dedicated utility easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easements hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easements hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easements or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

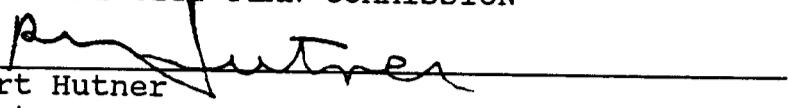
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easements in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, March 1, 1993 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 2nd DAY OF March 1993

FORT WAYNE CITY PLAN COMMISSION


Robert Huttner
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

March 10, 1993

Chester Bowman
206 Paine Webber Bldg
Fort Wayne, IN 46802

NOTICE OF PUBLIC HEARING ON BILL NO. G-93-02-03

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, March 23, 1993, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Two (2) utility easements located on the southwest corner of North Coliseum Blvd, and E State Blvd in Forestridge Shopping Center - Future development

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk

NOTICE OF PUBLIC HEARING
(BILL NO. G-93-02-03)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, March 23, 1993, at 7:00 P.M. (EST) in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Two easements (utility) located on the southwest corner of North Coliseum Blvd., and E State Blvd. in Foresridge Shopping Center

The south 6.0 feet of Lot #42 and the South 6.0 feet of the west 40.0 feet of Lot #41 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana, together with:

The west 6.0 feet of the north 10.0 feet of Lot #38, the West 6.0 feet of Lot #39, the West 6.0 feet of Lot #40 and the West 6.0 feet of the south 123.3 feet of Lot #42 in Delta Heights Addition as recorded in Plat Book #11, page #84, in the Office of the Recorder of Allen County, Indiana.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

March 10, 1993

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of March 13, 1993, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-93-02-03
Utility Easement Vacation

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

From the Desk of:
Pat Biancaniello

Contact:

Chester Bowman
206 Paine Webber Bldg
FORT WAYNE IN 46802

Bowman and McEntee

CHESTER E. BOWMAN
MICHAEL R. McENTEE

ATTORNEYS AT LAW
206 PAINE WEBBER BUILDING
FORT WAYNE, INDIANA 46802

TELEPHONE 219-426-4451
FAX 219-426-4453

March 25, 1993

City Council
1 Main Street
Room 122, City-County Building
Fort Wayne, IN 46802
ATTN: Mrs. Kennedy

Re: BILL G-93-0203

Dear Mrs. Kennedy:

Pursuant to your telephone call of this date, please be advised that this letter is to request that Bill G-93-0203 be withdrawn.

If we can be of further help you in this matter, please let me know.

Very truly yours,

BOWMAN AND McENTEE

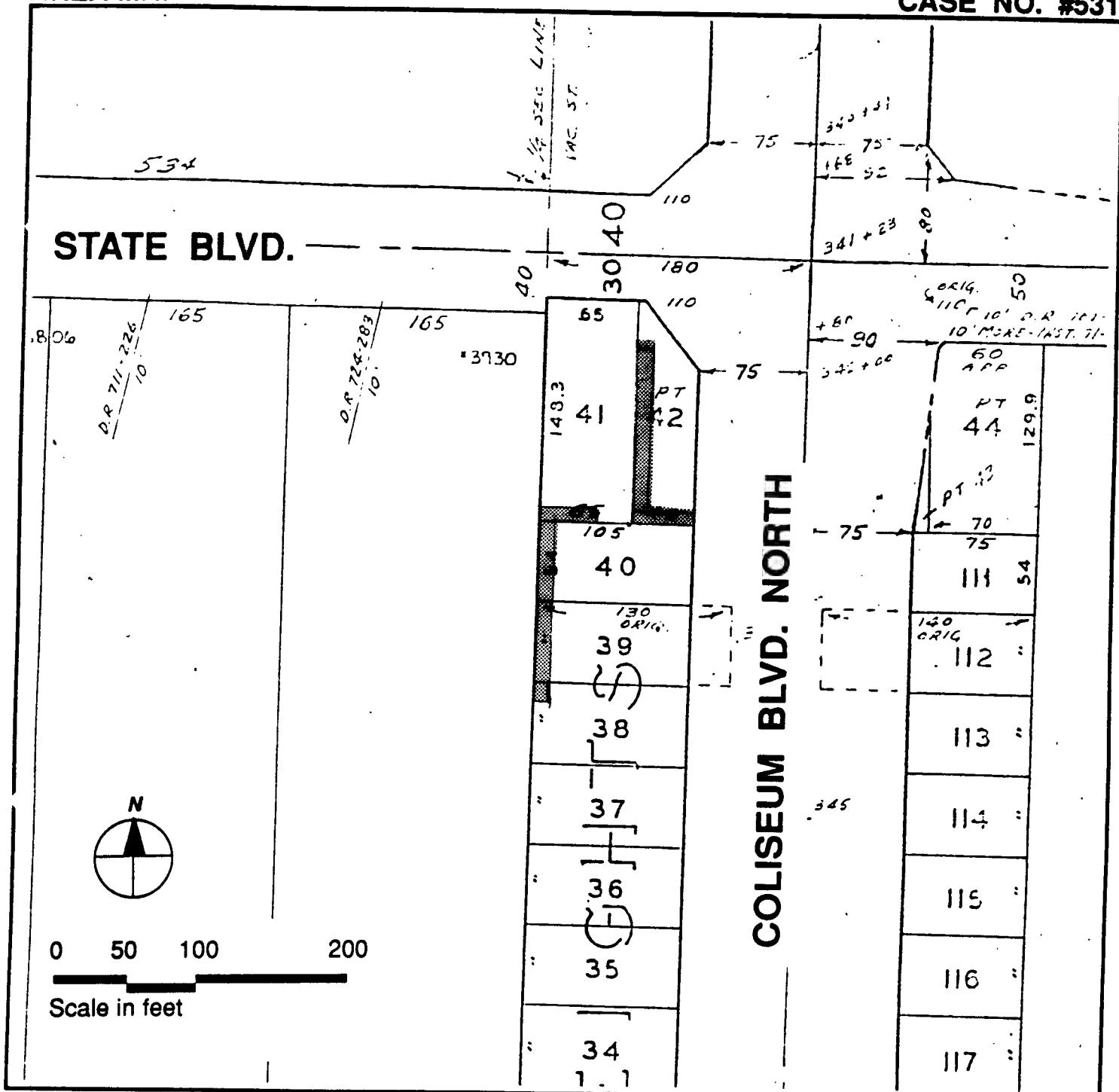
Chester E. Bowman
Chester E. Bowman

CEB/skh

VACATION PETITION

AREA MAP

CASE NO. #531



R1 One-Family
 R2 Two-Family
 R3 Multi-Family
 RA/RB Residential
 PUD Planned Unit Dev.

B1 Limited Business
 B2 Planned Shopping Center
 B3 General Business
 B4 Roadside Business
 POD Professional Office District

M1 Light Industrial
 M2 General Industrial
 M3 Heavy Industrial
 MHP Mobile Home Park

BILL NO. G-93-02-03

~~HOLD~~
3/23/93

REPORT OF THE COMMITTEE ON
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS
LUNSEY, SCHMIDT

$\geq D^{\text{sc}}$

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) for the purpose of
vacating a dedicated utility easements

HAVE HAD SAID (ORDINANCE) ~~X (RESOLUTION)~~ UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) ~~X (RESOLUTION)~~

DO PASS

DO NOT PASS

ABSTAIN

NO REC

U

With respect

DATED:

Sandra E. Kennedy
City Clerk

FACT SHEET

G-93-02-03

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Utility Easement Vacation

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

These easements are located in the
Forestridge Shopping Center.

Reason for Project

Future development.

POSITIONS**RECOMMENDATIONS**

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents**Applicant(s)**Chester & Beverley Bowman
City Department

Other

Opponents

Groups or Individuals**Basis of Opposition**Staff
Recommendation For Against**Reason Against**Board or
Commission
Recommendation

By

 For Against
 No Action Taken For with revisions to conditions
(See Details column for conditions)CITY COUNCIL
ACTIONS
(For Council
use only)

<input type="checkbox"/> Pass	<input type="checkbox"/> Other
<input type="checkbox"/> Pass (as amended)	<input type="checkbox"/> Hold
<input type="checkbox"/> Council Sub.	<input type="checkbox"/> Do not pass

Discussion (Including relationship to other Council actions)22 February 1993 - Public Hearing

Chester Bowman, representing the owners appeared before the Commission. Mr. Bowman stated that they own all of the property adjacent to the easements. He stated that there are no utilities in the easements and no future plans for the use of the easements by the utilities. He stated that they are asking for the vacation in order to accommodate the new construction of a McDonald's Restaurant. He stated that the building, if built, will cross both easements and that is what necessitates the vacation request..

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

1 March 1993 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation subject to the petitioners providing for utility relocations or replacement easements as needed.

DETAILS

Of the six (6) members present, five (5) voted in favor of the motion, one (1) did not vote. Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start **Date** 21 January 1993

Projected Completion or Occupancy Date 2 March 1993

Fact Sheet Prepared by **Patricia Biancaniello** Date **2 March 1993**

Reviewed by _____ Date _____

4 MARCH 1993

Reference or Case Number

ORIGINAL

ORIGINAL

X 531
DIGEST SHEET

TITLE OF ORDINANCE Utility Easement Vacation

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Two (2) utility easements located on the southwest corner of North Coliseum Blvd., and E State Blvd., in Forestridge Shopping Center.

D-93-02-03

EFFECT OF PASSAGE Property is currently used as dedicated utility easements. The property will be vacated and revert to the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated utility easements.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

FW Common Council

(Governmental Unit)

ALLEN

County, Indiana

To: The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

29 lines, 1 columns wide equals 29 equivalent lines
 at .33 cents per line

\$ 9.57

Additional charge for notices containing rule or tabular work
 (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 10.57

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

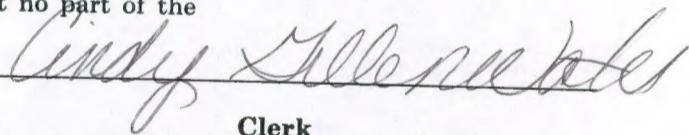
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 13, 1993

Title: Clerk



PUBLISHER'S AFFIDAVIT

State of Indiana)

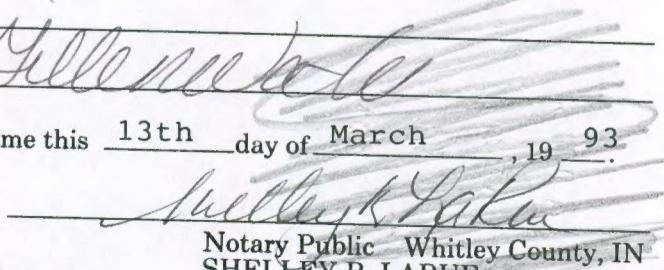
) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

3/13/93

Subscribed and sworn to before me this 13th day of March, 1993.



 Notary Public Whitley County, IN
 SHELLEY R. LARUE

My commission expires: March 3, 1994

FW Common Council

(Governmental Unit)

ALLEN

County, Indiana

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

29 lines, 1 columns wide equals 29 equivalent lines
 at .33 cents per line

\$ 9.57

Additional charge for notices containing rule or tabular work
 (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 10.57

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

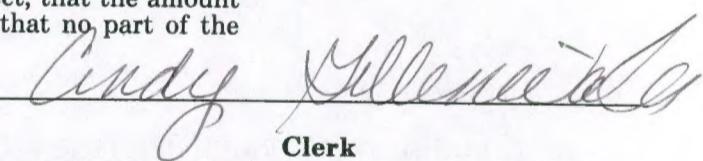
Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: March 13, 1993

Title: Clerk

Clerk

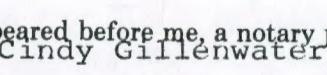


PUBLISHER'S AFFIDAVIT

State of Indiana)

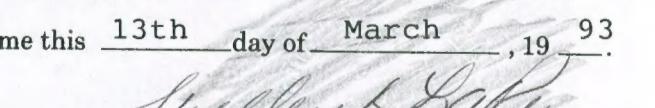
) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned  who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

3/13/93

Subscribed and sworn to before me this 13th day of March, 1993.



Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994

